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9 **ALDELPHIA COMMUNICATIONS**

10 **CORPORATION** aka Century Mendocino Cable

11 TV dba Adelphia Cable Communications

12 **UNITED STATES DISTRICT COURT**

13 **NORTHERN DISTRICT OF CALIFORNIA**

14 SIFA TUIAKI and LUPE TUIAKI,

15 Plaintiffs,

16 v.

17 PACIFIC GAS & ELECTRIC COMPANY;
18 PAULEY CONSTRUCTION, INC.; TRAFFIC
19 SOLUTIONS, INC.; ADELPHIA
20 TELECOMMUNICATIONS CO., INC.; SBC
21 TELECOMMUNICATIONS, INC.; MOBILE
22 TOOL INTERNATIONAL, INC., dba
23 TELSTA; COUNTY OF MENDOCINO;
24 STATE OF CALIFORNIA; PACIFIC BELL
25 TELEPHONE COMPANY; PACIFIC TELESIS
26 GROUP; SBC OPERATIONS, INC.; and
27 DOES 1 to 100,

28 Defendants.

29 **ADELPHIA COMMUNICATIONS**
30 **CORPORATION**, aka CENTURY
31 **MENDOCINO CABLE TV** dba **ADELPHIA**
32 **CABLE COMMUNICATIONS**,

33 Cross-Complainant,

34 v.

35 **PAULEY CONSTRUCTION, INC.**, and **ROES**
36 **1 to 50, INCLUSIVE**,

37 Cross-Defendants.

Case No.: CV 07-02257 CW

**MOTION TO TRANSFER VENUE
PURSUANT TO 28 U.S.C. SECTION
1412 TO THE UNITED STATES
DISTRICT COURT, SOUTHERN
DISTRICT OF NEW YORK
BANKRUPTCY COURT**

DATE: July 26, 2007

TIME: 2:00 p.m.

COURTROOM: 2
1301 Clay St., 4th Fl.
Oakland, CA 94612

NOW COMES defendant/cross-complainant CENTURY MENDOCINO CABLE TV dba ADELPHIA CABLE COMMUNICATIONS, and pursuant to the Bankruptcy Court's retention of jurisdiction, hereby moves this court to transfer venue to the United States District Court, Southern District of New York Bankruptcy Court ("Bankruptcy Court") pursuant to 28 U.S.C. section 1412 and Federal Rules of Bankruptcy Procedure Rule 7087. This motion is made pursuant to the explicit retention of jurisdiction ordered by the Bankruptcy Court, and in the interests of justice pursuant to 28 U.S.C. section 1412.

Date: June 7, 2007

RYAN & LIFTER
A Professional Corporation

By /s/ Michael J. Daley
MICHAEL J. DALEY

Attorney for Defendant/Cross-Complainant
ALDELPHIA COMMUNICATIONS
CORPORATION aka Century Mendocino Cable
TV dba Adelphia Cable Communications

PROOF OF SERVICE

I, ANNETTE DI GIOVANNI, declare that I am over the age of 18 years and not a party to the within action; that my business address is 2010 Crow Canyon Place, Suite 330, San Ramon, California 94583-1344; and that on this date I served a true copy of the foregoing document(s) entitled: **MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. SECTION 1412 TO THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK BANKRUPTCY COURT; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF MICHAEL J. DALEY; REQUEST FOR JUDICIAL NOTICE; AND (PROPOSED) ORDER** on the parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

- _____ (By Overnight Courier) I caused each envelope, with postage fully prepaid, to be sent by Federal Express.
- _____ (By Mail) I caused each envelope with postage fully prepaid to be placed for collection and mailing following the ordinary business practices of Ryan & Lifter.
- _____ (By Hand) I caused each envelope to be delivered by hand to the offices listed above.
- _____ (By Telecopy) I caused each document to be sent by Automatic Telecopier to the number as indicated above.
- X (By Electronic Transfer) I caused the above document to be served through CM/ECF addressed to all parties appearing on the electronic service list on the date executed below. The file transmission was reported as complete and a copy of the file & serve filing receipt" page will be maintained with the original document(s) in our office.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 7, 2007, at San Ramon, California.


ANNETTE DI GIOVANNI

SERVICE LIST

Tuiaki v. Pacific Gas & Electric Company, et al.
San Francisco County Superior Court No. CGC 03-419761

VIA FEDERAL EXPRESS

Attorney for Defendant PAULEY

CONSTRUCTION, INC.

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